

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

D.J., parent and natural guardian on behalf	)	
of C.J., a minor, and D.J., in her own right,	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No. 07-579
	)	
STEVENS ELEMENTARY SCHOOL,	)	
MARK ROOSEVELT, Superintendent,	)	
Pittsburgh Public Schools, JOSEPH	)	
FORISKA, Principal, XAVIER, minor,	)	
and T.P., a minor,	)	
Defendants.	)	

ORDER

AND NOW, this 23<sup>rd</sup> day of October, 2008, after the plaintiff, D.J., parent and natural guardian on behalf of C.J., a minor, and in her own right, filed an action in the above-captioned case, and after motions for summary judgment were submitted by defendants T.P. and Stevens Elementary School, Mark Roosevelt and Joseph Foriska, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties thirteen days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motions and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 50), which is adopted as the opinion of this Court,

IT IS ORDERED that the motion for summary judgment submitted on behalf of defendants Stevens Elementary School, Mark Roosevelt, and Joseph Foriska (Docket No. 35) is granted.

IT IS FURTHER ORDERED that the motion for summary judgment submitted on behalf of defendant T.P. (Docket No. 37) is granted, and that the case is dismissed as to Defendant Xavier.

s/ Terrence F. McVerry  
Terrence F. McVerry  
United States District Judge